

REMARKS/ARGUMENTS

It is assumed by applicant that the Wall et al patent cited by the Examiner is the one of record, i.e. No. 4,432,281.

In an effort to expedite the prosecution and narrow the issues at bar, applicant has incorporated the subject matter of claim 23 into main claim 19. As shown in Fig. 3, applicant's one-piece transparent cover 24 has the claimed inwardly extending locking projections 25 forming means for holding information sheet 18 on an inside of the cover. The claimed arrangement has the advantage of the very simple assembly described in connection with Fig. 3, according to which information sheet 18 is placed on the inside of cover 24, where it is held by projections 25, and the cover with the information sheet is then placed on the stamp so that locking projections 25 snap into locking recesses 26. This makes for a very simple and rapid assembly so that different information sheets may be readily used with the self-inking hand stamp. This advantageous functioning of applicant's arrangement has been described in detail in the Preliminary Amendment filed February 25, 2004 (and re-faxed March 1) and to obviate redundancy, applicant respectfully directs the Examiner's attention to the paragraph bridging pages 9 and 10 of the Preliminary Amendment.

The rejection of claims 19, 20, 22, 24 and 25 under 35 U.S.C. 103(a) as being unpatentable over Shih, the primary reference, in view of Wall et al and the newly cited Melind patent is respectfully traversed.

In the first place, applicant respectfully submits that the combination of the references is based on the hindsight gained from applicant's teaching, and that a person of ordinary skill in the art would not have found it obvious to implant Wall et al's self-inking mechanism into the Shih hand stamp "at the time the present invention was made" (Sec. 103). Section 103 has been uniformly held to require "a showing of a suggestion, teaching or motivation to combine the prior art references (as) an essential component of an obviousness holding," quoted in a long line of decisions in *In re Lee*, 61 USPQ2d 1430, at 1433. The Shih stamp has an ink reservoir 60, which can be re-filled, and the patent is concerned with the specific structure for the up-and-down movement of the stamp block. There is no obvious manner of modifying this structure by the self-inking mechanism of Wall et al, which moves by a turn-about motion from an inking position into a stamping position. In other words, The Shih and Wall et al stamps are fundamentally different types and, at the time the present invention was made, no person of ordinary skill in this art would have found "a suggestion, teaching or motivation" for lifting features of one patent to use in the other. This is

even truer for the simple hand stamp of Melind, which has no inking provision at all.

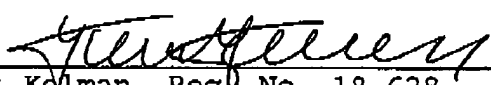
However, even if the combination of the three patents were valid under Sec. 103, neither Shih nor Melind suggest the claimed configuration of information sheet and cover. As the Examiner has conceded, Shih does not teach feature (c)(3) of claim 19 and Melind does not suggest feature (d)(1). Melind's primitive stamp uses a mounting block 1, 15', "conveniently formed of wood" (page 1, lines 75/6). Such a **solid** handle could not be used in the type of self-inking stamp disclosed and claimed herein. Furthermore, inwardly extending locking projections (flanges) 11' are **hooked into** grooves 4', as clearly shown in Fig. 8 (as also seen in the embodiment of Fig. 1). They do **not snap** into these locking recesses. As is clear from the Melind drawing, information sheet (insert) 8' must first be placed into recess 17, cover 9' must then be spread apart and the flanges 11' the engage grooves 4' as the cover is fitted over the top of mounting block 15'. The flanges do **not** form a means for holding insert 8 on the inside of the cover. In fact, if the insert were placed on the cover inside, nothing would hold it in place and it would fall out. The insert must first be placed in the recess before the cover is attached. Thus, the solid handle of Melind cannot be used in applicant's self-inking stamp and this mounting structure of the

information sheet and cover differs fundamentally from that claimed by applicant.

As to Shih's lugs 341 engaging slots 313, as Fig. 1 clearly shows, they do not extending inwardly and could not serve to hold an information sheet on an inside of cover 34.

In view of the above, it is respectfully submitted that claim 19 is clearly patentable over the art of record, and favorable reconsideration and allowance of this claim, together with dependent claims 20, 22 and 24-26, are respectfully solicited.

Respectfully submitted,
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